



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/597,236

09/26/2006

Nigel Hamilton

084535-000000US

8168

20350 7590 05/26/2009
TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

WONG, JOSEPH D

ART UNIT

PAPER NUMBER

2166

MAIL DATE

DELIVERY MODE

05/26/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/597,236	Applicant(s) HAMILTON, NIGEL	
	Examiner JOSEPH D. WONG	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20090417, 20071203, 20060717</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

Instant specification paragraph [85] as published is objected for having a minor spelling informality of “HTLM”. For purposes of examination this will be interpreted to mean “HTML” or hypertext markup language.

The abstract is objected for reciting reference numerals (10 and 11) from a figure 1 which appears informal.

Claim Objections

Claim 8 is objected for having a minor spelling informality of “HMTL” (sic) which is interpreted to mean “HTML” for purposes of expediting examination. Appropriate clarification or correction is required.

Claim 12 is objected for appearing to have a minor spelling informality “recordal” (sic) which is interpreted to mean “recordation” for purposes of expediting examination. Appropriate clarification or correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7-8, 22 are rejected for reciting a vague and indefinite abbreviation of “HTML” or “HMTL” without defining the abbreviation within the independent claim. Note this specific basis of rejection would be overcome if the claim were amended to recite the definition of the abbreviation from instant specification paragraph 2 as published, “Hyper Text Markup Language” of the instant specification. Appropriate clarification or correction is required. Appropriate correction of any typographical informality and indefiniteness of the abbreviation is required. For purposes of examination, the Examiner best's guess of what Applicant meant is is the specific language that was observed in instant specification paragraph 2.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-40 are rejected for being directed towards nonstatutory subject matter.

Claim 1 is directed to an automated method for recording sites accessed by a client in a communications network. However, instant specification as published in paragraph [5] shows the client is a browser which is understood to be software per se. Furthermore, the network is inclusive of a graph with descriptive nodes rather physical ones. Appropriate correction or

Art Unit: 2166

clarification to the claim is required. Dependent claims are rejected under similar reasoning.

Note that the above aspect of the rejection would be overcome if necessarily and always tied to an apparatus and physical article required within the body of the claim.

Claim 32 is directed to a system for recording sites accessed by a client in a communications network. However, instant specification as published in paragraph [5] shows the client is a browser which is understood to be software per se. Furthermore, the network is inclusive of a graph with descriptive nodes rather physical ones. Appropriate correction or clarification to the claim is required. Dependent claims are rejected under similar reasoning.

Note that the above aspect of the rejection would be overcome if necessarily and always requires a physical article within the body of the claim.

Applicants can look to MPEP 2106.01-2106.02 (July 2008), Clarification of Processes under 35 USC 101, Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility, Instant Specification, and contemporary case law with a matching fact pattern for further suggestions that may be helpful in overcoming these rejections.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 5, 9, 12-20, 23, 26-28 and 30-34, 36-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Chang, (US 2004/0193612 A1), hereinafter Chang.

As to claim 1, Chang teaches an automated method for recording sites accessed by a client in a communications network (Fig. 1, “see LAN or WAN” and item 103, “messaging server or log server” and items 105-107, “Local Search Engine”; item 109, “distributed search interface” is a client as discussed in paragraph [22]), the method including the steps of: detecting submission of a search query from the client to one or more search engines (Fig. 1, paragraph [24], “multiple search engines are “virtual”, e.g. the log data are transported to one or more collection points”); and recording a search trail of one or more parameters of sites accessed consecutively following return of search query results to the client (Fig. 1, [22], see claim1, “index information, wherein the user search history is shared with a plurality of users and is used for supporting a user search operation”) .

As to claim 2, Chang teaches the automated method (Title), wherein the step of detecting submission of the search query includes: detecting submission of a completed form object from the client (Abstract, “distributed query issued to the processors simultaneously...allows testing, monitoring and tracking of the distributed system”); determining if part of the form object matches a known search command format of any of the plurality of search engines ([26], “possible to add layered functionality without having to modify or directly interface with an application’s code”).

As to claim 5, Chang teaches the automated method (Abstract), wherein the step of detecting submission of a completed form object by the client includes: locating form objects in

Art Unit: 2166

an object model of content served to a client (Fig. 1); and adding a routine to each form object to enable interception of the completed form object upon submission (Fig. 6).

As to claim 9, Chang teaches the automated method (Abstract), wherein the step of recording one or more parameters of the sites accessed consecutively from the search query results is optionally selectable at the client once a search query is detected (Fig. 6).

As to claim 12, Chang teaches the automated method (Abstract), wherein the step of recording one or more parameters of the sites accessed consecutively from the search query results further includes: transmitting the one or more parameters identified at the client to a trail recorder server for recordal (Figs. 5-6).

As to claim 13, Chang teaches the automated method (Abstract), and further including: initially recording the one or more parameters in a RAM table (Fig 5, see disk) at the trail recorder server (Figs. 5-6).

As to claim 14, Chang teaches the automated method (Abstract), and further including: periodically saving RAM table data to disk-based tables at the trail recorder server (Figs. 5-6).

As to claim 15, Chang teaches the automated method (Abstract), wherein a first disk-based table stores data characterising each search trail (Figs. 5-6).

As to claim 16, Chang teaches the automated method (Abstract), wherein a second disk-based table stores data characterising the consecutive sites accessed in each search trail (Fig. 6).

As to claim 17, Chang teaches the automated method (Abstract), wherein the number of consecutively accessed sites is limited to a predetermined maximum (Fig. 5, see N).

Art Unit: 2166

As to claim 18, Chang teaches the automated method (Abstract), and further including: maintaining an adapter table of known search command formats for the plurality of search engines (Figs. 2-3).

As to claim 19, Chang teaches the automated method (Abstract), and further including: periodically validating the search command formats maintained in the adapter table (Figs. 5-6).

As to claim 20, Chang teaches the automated method (Abstract), and further including: automatically identifying a search command format of a new search engine (Figs. 2-3); and updating the adapter table (Figs. 5-6).

As to claim 23, Chang teaches the automated method (Abstract), and further including: matching the search query to previous search queries to identify related search trails (Figs. 2, 6).

As to claim 26, Chang teaches the automated method (Abstract), wherein the related search trails include search trails resulting from search queries from a same user and other users (interpreted to include any user, Fig. 6).

As to claim 27, Chang teaches the automated method (Abstract), and further including: presenting the related search trails at the client ([22]).

As to claim 28, Chang teaches the automated method (Abstract), wherein the step of presenting the related search trails includes: ordering the related search results by one or more ranking criteria ([20, 22], see “sorted...sorts”).

Art Unit: 2166

As to claim 30, Chang teaches the automated method (Abstract), wherein the communications network is the Internet (paragraph [7], “internet”), an intranet (paragraph [8], “LAN”), an extranet or other network running client or server applications (Fig. 1).

As to claim 31, Chang teaches them automated method (Abstract), wherein the one or more search engines are maintained on the client ([8], Fig. 1).

As to claim 32, Chang teaches a system for recording sites accessed by a client in a communications network (Fig. 1, “see LAN or WAN” and item 103, “messaging server or log server” and items 105-107, “Local Search Engine”; item 109, “distributed search interface” is a client as discussed in paragraph [22]),, the system including: a search query detector for detecting submission of a search query from the client to one of a plurality of search engines (Fig. 1, paragraph [24], “multiple search engines are “virtual”, e.g. the log data are transported to one or more collection points”); and a search trail recorder for recording a search trail of one or more parameters of sites accessed consecutively following return of search query results to the client (Fig. 1, [22], see claim1, “index information, wherein the user search history is shared with a plurality of users and is used for supporting a user search operation”) .

As to claim 33, Chang teaches the system (Abstract), and further including: an adapter manager for maintaining an adapter table of known search command formats for the plurality of search engines (Figs. 2-3).

As to claim 34, Chang teaches the system (Abstract), and further including: a trail searcher for matching the search query to previous search queries to identify related search trails (Fig. 6).

Art Unit: 2166

As to claim 36, Chang teaches a search query detector for use with the system (Fig. 5).

As to claim 37, Chang teaches a search trail recorder for use with the system (Figs.5-6).

As to claim 38, Chang teaches an adapter manger for use with a system (Figs. 5-6).

As to claim 39, Chang teaches a trail searcher for use with a system (Fig. 6)..

As to claim 40, Chang teaches computer software including program instructions for carrying out the method performed by the search query detector and / or search trail recorder (Fig. 6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-4, 10-11, 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of Faybishenko et al, (US 7,099,871), hereinafter Faybishenko.

As to claim 3, Chang does not expressly teach the automated method, wherein the search command format includes the network address of a search engine program for executing the search query.

Art Unit: 2166

However, Faybishenko teaches the automated method, wherein the search command format includes the network address of a search engine program for executing the search query (Col. 27, Lines 35-40; Fig. 10, item 250).

Chang and Faybishenko are analogous art pertinent to the problem to be solved. A skilled artisan would have been motivated to combine Chang and Faybishenko because it provides for provides for distributed search and routing of queries in a network as discussed in Faybishenko, Abstract.

Therefore at the time of invention, it would have been obvious to a person having ordinary skill in the art to combine Chang and Faybishenko because it provides for distributed search and routing of queries in a network as suggested in Faybishenko, Abstract.

As to claim 4, Chang teaches the automated method (Abstract), wherein the search command format further includes one or more search parameters identifying a user-entered search query (Figs. 3-4).

As to claim 10, Chang suggests but does not expressly teach the automated method, wherein the step of recording one or more parameters of the sites accessed consecutively from the search query results includes: recording the network address of the consecutively accessed sites (Fig. 6, records server name not necessarily a network address) .

However, Faybishenko teaches the automated method (Abstract), wherein the step of recording one or more parameters of the sites accessed consecutively from the search query

Art Unit: 2166

results includes: recording the network address of the consecutively accessed sites (Col. 23, Lines 43-47).

As to claim 11, Chang teaches recording one or more of a user identifier (Fig. 6, see “customer ID”) and search term or terms entered by the user at the client (Fig. 6).

However, Chang does not expressly teach the automated method, wherein the step of recording one or more parameters of the sites accessed consecutively from the search query results further includes: the network address of a referring site, the network address of the client.

Faybishenko teaches the automated method (Abstract), wherein the step of recording one or more parameters of the sites accessed consecutively from the search query results further includes: the network address of a referring site (Col. 22, Lines 35-37, Lines 53-55), the network address of the client (Col. 23, Lines 43-47).

As to claim 35, Chang does not expressly teach the system, wherein the search query detector is a toolbar, browser add on or extension, deskbar, agent, proxy or like client-side application.

However, Faybishenko teaches the system (Abstract), wherein the search query detector is a toolbar (optional), browser add on or extension (Col. 40, Lines 1-5, “required plug-in”), deskbar (optional), agent (optional), proxy or like client-side application (Col. 28, Lines 47-50, “provider to the client, the router”).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of Grober, (US 6,988,240 B2), hereinafter Grober.

As to claim 6, Chang does not expressly teach the automated method, wherein the step of locating all form objects in a document object model of content served to a client is carried out after the content has been served to the client.

However, Grober teaches the automated method (Abstract), wherein the step of locating all form objects in a document object model of content served to a client is carried out after the content has been served to the client (Fig. 1; Claim 39).

Chang and Grober are analogous art pertinent to the problem to be solved. A skilled artisan would have been motivated to combine Chang and Grober because it provides for Grober, Abstract and Col. 1, Line 65-Col. 2, Line 2.

as discussed in Grober, Abstract and Col. 1, Line 65-Col. 2, Line 2.

Therefore at the time of invention, it would have been obvious to a person having ordinary skill in the art to combine Chang and Grober because it provides for Grober, Abstract and Col. 1, Line 65-Col. 2, Line 2. as suggested in Grober, Abstract and Col. 1, Line 65-Col. 2, Line 2.

Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of Grober, (US 6,988,240 B2), hereinafter Grober and in further view of Henkin et al, (US 2002/0120505), hereinafter Henkin.

Art Unit: 2166

As to **claim 7**, Chang and Faybishenko do not expressly teach the automated method, wherein the content is an HTML document, and all form objects in a document object model of the HTML document are located once a DocumentComplete event occurs.

However, Henkin teaches the automated method, wherein the content is an HTML document, and all form objects in a document object model of the HTML document are located once a DocumentComplete event occurs (paragraphs [186, 193, 297]; Fig. 6).

[0186] ... a Server Communication Component (SCC) 524, and a User Behavior Analysis Component (UBAC) 526. Functions of the Server Communication Component 524 may include, for example, data updates, automatic retrieval

[0193] Initially, it is assumed at (2) of FIG. 6 that a document complete event has occurred for a document such as, for example, an identified frame in a browser window. Typically, the document complete event indicates that the identified document has finished downloading all its data. The browser 502 notifies (2) the browser agent 506 of the document complete event for the identified document. Upon receiving the document complete event, the browser agent initiates (3) a frame agent for the identified document (e.g. frame) ... According to a specific implementation, processing of the document context may include, for example, parsing the document context out of the HTML into individual lines (separated, for example, using carriage returns, links, or other information), trimming leading and trailing spaces (e.g. between lines), etc.

[0297] ... temporarily annotating selected DOMs in the document that was retrieved to the user Personal computer and was parsed by the User's browser.

Chang in view of Grober and Henkin are analogous art pertinent to the problem to be solved. A skilled artisan would have been motivated to combine Chang in view of Grober and Henkin because it provides for an automatic pop-up advertisement to be displayed on the client system in the context of a document as discussed in Henkin, Abstract.

Therefore at the time of invention, it would have been obvious to a person having ordinary skill in the art to combine Chang in view of Grober and Henkin because it provides for

Art Unit: 2166

an automatic pop-up advertisement to be displayed on the client system in the context of a document as suggested in Henkin, Abstract.

As to claim 8, Chang does not expressly teach the automated method, wherein the HMTL document includes a GET or a POST form.

However, Faybishenko teaches the automated method, wherein the HMTL (interpreted to be HTML) document includes a GET or a POST form (Col. 32, Lines 5-11, “POST/search.jsp...get an HTTP response of the form”).

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of Elliott et al, (US 2002/0156779 A1), hereinafter Elliott.

As to claim 21, Chang teaches the automated method (Abstract); and identifying the search command format from the search information (Fig. 2).

However, Chang does not expressly teach, and further including: collecting search information identifying a search box page of a search engine.

Elliott teaches including: collecting search information identifying a search box page of a search engine (paragraph [28]).

[0028] The search engine next searches the spatial lexicography database and selects all identifier information which is within the coordinate box.

Chang and Elliott are analogous art pertinent to the problem to be solved. A skilled artisan would have been motivated to combine Chang and Elliott because it provides for

Art Unit: 2166

identifying spatial relevance information queried by the requestor as discussed in Elliott, Paragraph [29].

Therefore at the time of invention, it would have been obvious to a person having ordinary skill in the art to combine Chang and Elliott because it provides for identifying spatial relevance information queried by the requestor as suggested in Elliott, Paragraph [29].

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of Elliott et al, (US 2002/0156779 A1), hereinafter Elliott and in further view of Sun, (US 2004/0073691), hereinafter Sun.

As to claim 22, Chang and Elliott do not expressly teach the automated method, wherein the step of collecting search information includes: collecting the HTML code of the search box; and parsing the HTML code to identify the search command format.

However, Sun teaches the automated method, wherein the step of collecting search information includes: collecting the HTML code of the search box; and parsing the HTML code to identify the search command format (paragraph [191]).

[191] ...if the various ndfSDpFDAs' HTML responses have identical formats, the receiving IWeb search facility can parse out the various contacts data fields.

Chang in view of Elliott and Sun are analogous art pertinent to the problem to be solved. A skilled artisan would have been motivated to combine Chang in view of Elliott and Sun

Art Unit: 2166

because it provides for quick registration using URLs at a web site as discussed in Sun, paragraph [35].

Therefore at the time of invention, it would have been obvious to a person having ordinary skill in the art to combine Chang in view of Elliott and Sun because it provides for quick registration using URLs at a web site as suggested in Sun, paragraph [35].

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of Katiyar, (US 2004/0083274 A1), hereinafter Katiyar.

As to claim 24, Chang does not expressly teach the automated method, wherein the step of matching the search query to previous search queries includes: conducting a full text search on the search query and previous search queries.

However, Katiyar teaches the automated method (Abstract), wherein the step of matching the search query to previous search queries includes: conducting a full text search on the search query and previous search queries (paragraph [279], claim 32).

Chang and Katiyar are analogous art pertinent to the problem to be solved. A skilled artisan would have been motivated to combine Chang and Katiyar because it provides for identifying an actual job candidate as discussed in Katiyar, paragraph [16].

Therefore at the time of invention, it would have been obvious to a person having ordinary skill in the art to combine Chang and Katiyar because it provides for identifying an actual job candidate as suggested in Katiyar, paragraph [16].

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of MacGregor et al, (US 2002/0087522), hereinafter MacGregor.

As to claim 25, Chang does not expressly teach the automated method, wherein the step of matching the search query to previous search queries includes: limiting the related search trails to search trails resulting from search queries from a same user .

However, MacGregor teaches the automated method, wherein the step of matching the search query to previous search queries includes: limiting the related search trails to search trails resulting from search queries from a same user (paragraph [66]; Fig. 7).

[0066] ... Additionally, the search engine server generates signals to transmit to the user to ask the user to name the product or service (or a search term that identifies the same) that is desired (Step 708) .

Chang and MacGregor are analogous art pertinent to the problem to be solved. A skilled artisan would have been motivated to combine Chang and MacGregor because it provides for using user specified address or GPS coordinates as discussed in MacGregor, paragraph [66].

Therefore at the time of invention, it would have been obvious to a person having ordinary skill in the art to combine Chang and MacGregor because it provides for using user specified address or GPS coordinates as suggested in MacGregor, paragraph [66].

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of Barnett, (US 20020198869), hereinafter Barnett.

As to claim 29, Chang teaches target search engine (Fig. 6, “Server”), user identifier (Fig. 6, “customer ID”).

However, Chang does not expressly teach the automated method, wherein the ranking criteria include any one or more of date, inverse document frequency match, or trail weight indicative of the cumulative frequency of user visits to steps in a related search trail.

Barnett teaches the automated method (Abstract), wherein the ranking criteria include any one or more of date (paragraph [73]), inverse document frequency match (paragraph [66]), or trail weight indicative of the cumulative frequency of user visits to steps in a related search trail (optional alternative).

[0066] For the ranking computed in phase four to be mathematically correct, IDF is preferably identical at all search engines. One way to accomplish this objective is to compute IDF from DF at the metasearch engine...

[0073] In another aspect of the invention, the third phase can include a further step 25 of assigning a key to each document and sorting results within each collection. The sort criterion can be any suitable value-based key, such as the relevancy score itself, or some other attribute such as alphabetically by author name, or temporally by modification date...

Chang and Barnett are analogous art pertinent to the problem to be solved. A skilled artisan would have been motivated to combine Chang and Barnett because it provides for global exchange of metacollection level local statistics as discussed in Barnett, Abstract.

Art Unit: 2166

Therefore at the time of invention, it would have been obvious to a person having ordinary skill in the art to combine Chang and Barnett because it provides for global exchange of metacollection level local statistics as suggested in Barnett, Abstract.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D. Wong whose telephone number is 571-270-1015. The examiner can normally be reached on Mondays through Fridays from 10 AM - 6 PM.

Applicant initiated interviews may be formally requested in advance by faxing a completed PTO-413A form to the Examiner's personal fax number at 571-270-2015. Form PTO-413A is used by the Examiner to prepare for any proposed interview. A detailed agenda listing should be attached including any proposed claim language and/or arguments that will be presented. This form is used to determine whether any proposed interview would advance prosecution and fit within a prescribed time limit.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Art Unit: 2166

system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JDW/

Asst. Examiner, Art Unit 2166

22 May 2009

/Isaac M. Woo/

Primary Examiner, Art Unit 2166